

AMENDED IN ASSEMBLY AUGUST 24, 2006

**SENATE BILL**

**No. 1193**

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**Introduced by Senator Bowen**

(Principal coauthor: Assembly Member Hancock)

**(Coauthor: Senator Torlakson)**

January 23, 2006

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An act to amend ~~Section 48205 of, and to add Section 46300.8 to,~~  
*Sections 48205 and 46300 of the Education Code, relating to pupils.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1193, as amended, Bowen. Pupil attendance: precinct board membership.

Existing law authorizes a pupil to be excused from school for specified reasons, including for the purpose of serving as a member of a precinct board for an election. Existing law provides that excused absences for those specified reasons are, nevertheless, absences for the purpose of computing average daily attendance and do not generate state apportionment payments.

*Existing law requires that the attendance of pupils participating in independent study for five or more consecutive schooldays, as specified, be included in computing the average daily attendance of a school district.*

*This bill would include within those provisions the attendance of a pupil serving as a member of a precinct board, as specified, and would exempt that pupil from the requirement that they participate in that activity for 5 or more consecutive schooldays if, among other things, the pupil is required to complete a report or written assignment on the subject of the activities engaged in by the pupil while serving as a member of a precinct board. The bill would require*

*the teacher of any class from which a pupil is absent to ensure that the report or written assignment is submitted within a reasonable time after the activities are completed.*

~~This bill would, for purposes of computing the average daily attendance generated by a pupil enrolled in a history or social science course required by a school district as a condition of receipt of a high school diploma, deem a pupil serving as a member of a precinct board for an election to be under the immediate supervision, as defined, of the certificated teacher of the history or social science course, and thus would exempt that absence from the computation of average daily attendance. The bill would also conform a related provision of existing law.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 46300 of the Education Code is  
2     amended to read:  
3     46300. (a) In computing average daily attendance of a school  
4     district or county office of education, there shall be included the  
5     attendance of pupils while engaged in educational activities  
6     required of those pupils and under the immediate supervision and  
7     control of an employee of the district or county office who  
8     possessed a valid certification document, registered as required  
9     by law.  
10    (b) (1) For the purposes of a work experience education  
11    program in a secondary school that meets the standards of the  
12    California State Plan for Vocational Education, “immediate  
13    supervision,” in the context of off-campus work training stations,  
14    means pupil participation in on-the-job training as outlined under  
15    a training agreement, coordinated by the school district under a  
16    state-approved plan, wherein the employer and certificated  
17    school personnel share the responsibility for on-the-job  
18    supervision.  
19    (2) The pupil-teacher ratio in a work experience program shall  
20    not exceed 125 pupils per full-time equivalent certificated  
21    teacher coordinator. Notwithstanding Section 52033, this ratio  
22    may be waived by the State Board of Education pursuant to

Article 3 (commencing with Section 33050) of Chapter 1 of Part 20 under criteria developed by the State Board of Education.

(3) A pupil enrolled in a work experience program shall not be credited with more than one day of attendance per calendar day, and shall be a full-time pupil enrolled in regular classes that meet the requirements of Section 46141 or 46144.

(c) (1) For purposes of the rehabilitative schools, classes, or programs described in Section 48917 that require immediate supervision, “immediate supervision” means that the person to whom the pupil is required to report for training, counseling, tutoring, or other prescribed activity shares the responsibility for the supervision of the pupils in the rehabilitative activities with certificated personnel of the district.

(2) A pupil enrolled in a rehabilitative school, class, or program shall not be credited with more than one day of attendance per calendar day.

(d) (1) For the purposes of computing the average daily attendance of pupils engaged in the educational activities required of high school pupils who are also enrolled in a regional occupational center or regional occupational program, the school district shall receive proportional average daily attendance credit for those educational activities that are less than the minimum schoolday, pursuant to regulations adopted by the State Board of Education; however, none of that attendance shall be counted for purposes of computing attendance pursuant to Section 52324.

(2) A school district shall not receive proportional average daily attendance credit pursuant to this subdivision for any pupil in attendance for less than 145 minutes each day.

(3) The divisor for computing proportional average daily attendance pursuant to this subdivision is 240, except that, in the case of a pupil excused from physical education classes pursuant to Section 52316, the divisor is 180.

(4) Notwithstanding any other provision of law, travel time of pupils to attend a regional occupational center or regional occupational program shall not be used in any manner in the computation of average daily attendance.

(e) (1) In computing the average daily attendance of a school district, there shall also be included the attendance of pupils participating in independent study conducted pursuant to Article

1 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 for  
2 five or more consecutive schooldays.

3 (2) A pupil participating in independent study shall not be  
4 credited with more than one day of attendance per calendar day.

5 (3) *For purposes of this subdivision, a pupil serving as a*  
6 *member of a precinct board for an election pursuant to Section*  
7 *12302 of the Elections Code consistent with subdivision (a) of*  
8 *Section 51745 shall not be required to participate in that activity*  
9 *for five or more consecutive schooldays if the pupil absent from*  
10 *school under this paragraph is required to do both of the*  
11 *following:*

12 (A) *Complete all assignment and tests missed during the*  
13 *absence. The teacher of any class from which a pupil is absent*  
14 *shall ensure that the tests and assignments are reasonably*  
15 *equivalent to, but not necessarily identical to, the tests and*  
16 *assignments that the pupil missed during the absence.*

17 (B) *Complete a report or written assignment on the subject of*  
18 *the activities engaged in by the pupil while serving as a member*  
19 *of a precinct board for an election pursuant to Section 12302 of*  
20 *the Elections Code. The teacher of any class from which a pupil*  
21 *is absent shall ensure that the report or written assignment is*  
22 *submitted within a reasonable time after the activities are*  
23 *completed.*

24 (f) For purposes of cooperative vocational education programs  
25 and community classrooms described in Section 52372.1,  
26 “immediate supervision” means pupil participation in paid and  
27 unpaid on-the-job experiences, as outlined under a training  
28 agreement and individualized training plans wherein the  
29 supervisor of the training site and certificated school personnel  
30 share the responsibility for the supervision of on-the-job  
31 experiences.

32 (g) In computing the average daily attendance of a school  
33 district, there shall be included the attendance of pupils in  
34 kindergarten after they have completed one school year in  
35 kindergarten only if the school district has on file for each of  
36 those pupils an agreement made pursuant to Section 48011,  
37 approved in form and content by the State Department of  
38 Education and signed by the pupil’s parent or guardian, that the  
39 pupil may continue in kindergarten for not more than an  
40 additional school year.

1     ~~SECTION 1. Section 46300.8 is added to the Education~~  
2     ~~Code, to read:~~

3     ~~46300.8. For purposes of computing the average daily~~  
4     ~~attendance generated by a pupil enrolled in a history or social~~  
5     ~~science course required by a school district as a condition of~~  
6     ~~receipt of a high school diploma, a pupil serving as a member of~~  
7     ~~a precinct board for an election pursuant to Section 12302 of the~~  
8     ~~Elections Code, is under the immediate supervision, as defined in~~  
9     ~~Section 46300, of the certificated teacher of the history or social~~  
10    ~~science course.~~

11    ~~SEC. 2. Section 48205 of the Education Code is amended to~~  
12    ~~read:~~

13    ~~48205. (a) Notwithstanding Section 48200, a pupil shall be~~  
14    ~~excused from school when the absence is:~~

15    ~~(1) Due to his or her illness.~~

16    ~~(2) Due to quarantine under the direction of a county or city~~  
17    ~~health officer.~~

18    ~~(3) For the purpose of having medical, dental, optometrical, or~~  
19    ~~chiropractic services rendered.~~

20    ~~(4) For the purpose of attending the funeral services of a~~  
21    ~~member of his or her immediate family, so long as the absence is~~  
22    ~~not more than one day if the service is conducted in California~~  
23    ~~and not more than three days if the service is conducted outside~~  
24    ~~California.~~

25    ~~(5) For the purpose of jury duty in the manner provided for by~~  
26    ~~law.~~

27    ~~(6) Due to the illness or medical appointment during school~~  
28    ~~hours of a child of whom the pupil is the custodial parent.~~

29    ~~(7) For justifiable personal reasons, including, but not limited~~  
30    ~~to, an appearance in court, attendance at a funeral service,~~  
31    ~~observance of a holiday or ceremony of his or her religion,~~  
32    ~~attendance at religious retreats, or attendance at an employment~~  
33    ~~conference, when the pupil's absence has been requested in~~  
34    ~~writing by the parent or guardian and approved by the principal~~  
35    ~~or a designated representative pursuant to uniform standards~~  
36    ~~established by the governing board.~~

37    ~~(8) For the purpose of serving as a member of a precinct board~~  
38    ~~for an election pursuant to Section 12302 of the Elections Code.~~

39    ~~(b) A pupil absent from school under this section shall be~~  
40    ~~allowed to complete all assignments and tests missed during the~~

1 ~~absence that can be reasonably provided and, upon satisfactory~~  
2 ~~completion within a reasonable period of time, shall be given full~~  
3 ~~credit therefor. The teacher of any class from which a pupil is~~  
4 ~~absent shall determine the tests and assignments shall be~~  
5 ~~reasonably equivalent to, but not necessarily identical to, the tests~~  
6 ~~and assignments that the pupil missed during the absence.~~

7 ~~(c) For purposes of this section, attendance at religious retreats~~  
8 ~~shall not exceed four hours per semester.~~

9 ~~(d) Absences pursuant to this section are deemed to be~~  
10 ~~absences in computing average daily attendance and shall not~~  
11 ~~generate state apportionment payments, except for absences that~~  
12 ~~meet the conditions in Section 46300.8.~~

13 ~~(e) “Immediate family,” as used in this section, has the same~~  
14 ~~meaning as that set forth in Section 45194, except that references~~  
15 ~~therein to “employee” shall be deemed to be references to~~  
16 ~~“pupil.”~~